

ADDITION TO INSANE ASYLUM, NEW MEXICO.

FEBRUARY 19, 1895.—Referred to the House Calendar and ordered to be printed.

Mr. JOSEPH, from the Committee on the Territories, submitted the following

REPORT:

[To accompany H. R. 8899.]

The Committee on the Territories, to whom was referred the bill (H. R. 8899) approving an act entitled "An act to provide an addition to the insane asylum of the Territory of New Mexico for the accommodation of all the insane persons of the Territory, and for other purposes," passed by the thirty-first legislative assembly of the Territory of New Mexico on the 9th day of February, 1895, and approved by the governor of the Territory February 13, 1895, having had the same under consideration, report the bill back with an amendment, and recommend that the same be passed.

This bill approves the action of the thirty-first legislative assembly of the Territory of New Mexico in authorizing the issuance of coupon bonds by the said Territory to the amount of \$30,000, for the purpose of constructing some buildings as an addition to the insane asylum of New Mexico, so that all the insane persons can be taken care of; and this committee does not hesitate in recommending the approval of said bill annulling in this case the act of July 30, 1886, which, in chapter 818, section 3, of the Revised Statutes, volume 1, second edition, 1874-1891, prohibits or restrains the Territories of the United States from incurring any indebtedness exceeding 1 per cent upon the assessed value of the taxable property in said Territories as shown by the last general assessment for taxation.

The present building of the insane asylum of New Mexico is worth about \$40,000, and, although a very good building in every respect, yet it is not large enough to accommodate all the insane people of the said Territory; and as the \$30,000 provided for in the bill passed by the legislature, and which is hereby approved and made a part of this report, would exceed the 1 per cent limit provided for in the act above cited, of July 30, 1886, this bill is intended and framed with the view of authorizing the Territory of New Mexico to issue the said bonds, notwithstanding section 3, above cited, of the Revised Statutes of the United States, of the said act of July 30, 1886.

AN ACT to provide an addition to the insane asylum of New Mexico, for the accommodation of all the insane persons of the Territory, and for other purposes:

Be it enacted by the legislative assembly of the Territory of New Mexico:

SECTION 1. For the purpose of carrying into effect this act, an additional building large enough to make room for all the insane persons of the Territory shall be constructed out of the proceeds of the bonds herein authorized, and to that end the sum of thirty thousand dollars of the bonds of the Territory of New Mexico is hereby

appropriated, to be issued in denominations of one thousand dollars each and called insane asylum bonds of the Territory of New Mexico. They shall be issued by the Territory to the extent of thirty thousand dollars and no more. Such bonds shall bear interest at the rate of five per cent per annum, with coupons attached, the first coupon to be paid July first, anno Domini eighteen hundred and ninety-five, and thereafter the coupons shall be paid semiannually. Said bonds shall be signed by the governor and treasurer of the Territory and countersigned by the auditor. They shall become due twenty years from the date of their issue, at the option of the Territory, and shall be absolutely due and payable thirty years from the date of their issue, but may be paid at the option of the Territory in twenty years from their date, interest to be paid in the city of New York, at such place as may be designated in said bonds. The above bonds are issued for the purpose of constructing a suitable addition to the territorial insane asylum, at Las Vegas, New Mexico, to make full accommodations for all of the insane persons of the Territory. The said building shall be brick or stone, as may be determined best by the directors of said asylum. There shall be no levy made for the final redemption of the bonds named in this section prior to ten years previous to the date of their absolute maturity, and from that date there shall be levied each year a tax sufficient in amount to pay one-tenth part of said total issue, annually, so as to accumulate a fund for the full payment of said bonds at their absolute maturity, to wit, thirty years after the date of their issue, and the funds hereby appropriated shall be used exclusively for the purpose in this bill stated. But if any surplus should remain from the total sum in the construction of said building, the same may be used in furnishing the said addition, or for the maintenance of the asylum, or in connection therewith, in the discretion of the board of directors.

SEC. 2. That whenever any bonds are issued as provided in this act it shall be the duty of the assessors in the different counties of this Territory, upon notice from the Territorial auditor, whose duty it shall be to give such notice of the amount required for that purpose, to levy a tax on all of the taxable property in the Territory to fully discharge and pay the half-yearly interest accruing on said bonds, which tax, when collected, shall be paid into the Territorial treasury to the credit of the said bonds, to be applied in the payment of the interest thereof; and should there at any time, when interest is due, not be sufficient money in the treasury from said source to meet the same, it shall be the duty of the Territorial treasurer to pay the same out of any other unappropriated funds in the treasury, or out of any other specific fund not needed for the purpose for which the same is appropriated. For the ultimate redemption of said bonds there shall be levied annually, commencing ten years prior to the date of the absolute maturity of said bonds, such tax upon all the taxable property of the Territory as shall create within the said ten years, one-tenth thereof each year, a sum sufficient to pay off the said bonds at the date of their maturity, which fund shall be applied to such payment annually, commencing twenty years after the date of their issue, and continuing paying one-tenth of the total amount of said bonds each year, until the same are finally extinguished.

SEC. 3. That for the purpose of facilitating the sale of the bonds provided for by this act the First National Bank of Santa Fe, at Santa Fe, in the Territory of New Mexico, is hereby made the fiscal agent of the Territory, and shall be allowed such sum as the governor, treasurer, and auditor may determine to be right, not exceeding one per centum commission upon all moneys received by said bank upon the sale of said bonds; and said bonds shall be sold from time to time in quantities according to the judgment and sound discretion of the officers authorized to issue the same: *Provided*, That no bonds shall be sold at less than par.

SEC. 4. That it shall be the duty of the board of directors of the insane asylum, as soon as the said bonds are negotiated, to decide on plans and specifications for said addition, and as soon as practicable to construct the same. If the said directors ascertain that they can construct said building cheaper out of brick manufactured at the Territorial penitentiary than out of stone, it shall in that event be their duty to construct the same out of such brick; and in that event the directors shall, in writing, notify the superintendent of the penitentiary that such board has determined to construct such addition out of brick to be furnished by the Territorial penitentiary, and state to him as nearly as can be the number of brick required; and thereupon the superintendent of the penitentiary shall furnish free on board the cars at Santa Fe the brick for such addition in sufficient quantities for the construction of said addition, as rapidly as the same can be so furnished; and said superintendent shall, in furnishing said brick, to the full extent of his ability, expedite as rapidly as possible the construction of said addition, furnishing all the brick which said board of directors shall determine to be necessary therefor; and all idiots of the Territory shall be received and supported at said asylum, unless there shall an emergency arise when there is not sufficient room for them.

SEC. 5. The auditor of the Territory is hereby authorized to draw warrants on the funds appropriated by section one of this act, upon presentation of certificates by

the board of directors of the insane asylum, signed by the president of the board and countersigned by the secretary.

SEC. 6. No contract shall be let for the furnishing of the material or any portion thereof used in the erection of said building, or the construction thereof, until the board of directors shall have given sixty days' notice in one weekly newspaper published in Santa Fe, Las Vegas, and Albuquerque, each, of the intention to purchase such material and let such contract. All contracts shall be let to the lowest responsible bidder or bidders, who shall give good and sufficient bonds payable to the Territory of New Mexico, with two or more sufficient sureties, for the fulfillment of such contract according to the terms thereof, but the directors in their discretion may reject any and all bids.

SEC. 7. This act shall be in force from and after its passage.

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